

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

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|------|--|--|---------------------|
| 158. | THOMAS EDWIN JONES V.
COMMONWEALTH OF KENTUCKY
ADMINISTRATIVE OFFICE OF
THE COURTS.
OPINION OF THE COURT BY
JUSTICE COOPER – <u>VACATING
AND REMANDING.</u> | <u>2005-SC-000272-OA</u>
TO BE PUBLISHED | IN SUPREME
COURT |
| 159. | SHELTER MUTUAL INS. CO. V.
SALLYE J. ARNOLD
OPINION OF THE COURT BY
JUSTICE COOPER – <u>AFFIRMING.</u> | <u>2002-SC-000373-DG</u>
TO BE PUBLISHED | JEFFERSON |
| 160. | PARTS DEPOT, INC., ET AL V.
LYNN BEISWENGER
AND
HOUSING AUTHORITY OF
MIDDLESBOROUGH V.
CHARLES SMITH, ET AL
OPINION OF THE COURT BY
JUSTICE COOPER – <u>AFFIRMING.</u> | <u>2002-SC-000948-DG</u>
TO BE PUBLISHED

<u>2004-SC-000124-DG</u>
TO BE PUBLISHED | SHELBY

BELL |
| 161. | PHILLIP LANHAM V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT –
<u>AFFIRMING.</u>
COOPER, J., DISSENTS BY SEPARATE
OPINION IN WHICH LAMBERT, C.J., AND
SCOTT, J., JOIN. | <u>2003-SC-000268-MR</u>
TO BE PUBLISHED | GARRARD |
| 162. | BAPTIST HEALTHCARE SYSTEMS,
INC., D/B/A CENTRAL BAPTIST
HOSPITAL V.
GOLDA H. MILLER, ET AL
OPINION OF THE COURT BY
JUSTICE LAMBERT – <u>AFFIRMING.</u>
COOPER, J., FILES A SEPARATE
OPINION DISSENTING IN PART. | <u>2003-SC-000471-DG</u>
TO BE PUBLISHED | FAYETTE |

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

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| 163. | WILLIAM MCPHERSON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | <u>2004-SC-000068-MR</u>
TO BE PUBLISHED | BUTLER |
| 164. | PATRICK CORNELIUS MOODY V.
COMMONWEALTH OF KENTUCKY
OPINION OF THE COURT BY
JUSTICE GRAVES – <u>AFFIRMING.</u> | <u>2004-SC-000341-MR</u>
TO BE PUBLISHED | CHRISTIAN |
| 165. | LEONARD MARTIN V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u>
COOPER, J., CONCURS IN RESULT
ONLY. | <u>2004-SC-000718-MR</u>
TO BE PUBLISHED | FLOYD |
| 166. | KRISTIE SMART V.
GEORGETOWN COMMUNITY
HOSPITAL, ET AL
OPINION OF THE COURT -
<u>AFFIRMING.</u>
GRAVES, J., DISSENTS BY
SEPARATE OPINION IN WHICH
SCOTT, J., JOINS. | <u>2004-SC-000759-WC</u>
TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 167. | BRIAN LANTER V.
KENTUCKY STATE POLICE, ET AL
OPINION OF THE COURT -
<u>AFFIRMING.</u>
GRAVES, J., DISSENTS AND STATES
THAT WHEN THE ALJ “NOTED IN
PARTICULAR LANTER’S YOUNG AGE”,
HE GAVE UNDUE WEIGHT TO YOUTH
AND ERRONEOUSLY ASSUMED LANTER
WOULD OUTGROW HIS DISABILITY. | <u>2004-SC-000872-WC</u>
TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

168. LEWIS F. KRAHWINKEL, JR., V. [2003-SC-000708-DG](#) HANCOCK
COMMONWEALTH ALUMINUM [2004-SC-000219-DG](#)
CORPORATION. **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER – AFFIRMING IN
PART AND REVERSING IN PART.
SCOTT, J., CONCURS IN PART AND
DISSENTS IN PART BY SEPARATE
OPINION, WITH LAMBERT, C.J., AND
WINTERSHEIMER, J., JOINING THAT
OPINION. LAMBERT, C.J., DISSENTS
BY SEPARATE OPINION, WITH SCOTT,
AND WINTERSHEIMER, JJ., JOINING
THAT DISSENTING OPINION.
169. ANDREW STEPHENSON HORNE V. [2002-SC-000104-DG](#) FAYETTE
PRECISION CARS OF LEXINGTON, **TO BE PUBLISHED**
INC.
OPINION OF THE COURT BY
JUSTICE COOPER – REVERSING
AND REMANDING.
ROACH AND WINTERSHEIMER, JJ.,
CONCUR IN RESULT ONLY.
170. CINDY MIFFLIN, ETC., ET AL V. [2003-SC-000857-DG](#) LIVINGSTON
LAURA MIFFLIN **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE GRAVES – REVERSING
AND REMANDING.
171. RODNEY P. V. [2003-SC-000882-DG](#) DAVIESS
STACY B. **TO BE PUBLISHED**
OPINION OF THE COURT BY
JUSTICE COOPER – REVERSING
AND REMANDING.

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

172. KENTUCKY KINGDOM AMUSEMENT COMPANY, (F/K/A KENTUCKY KINGDOM, INC.) V. BELO KENTUCKY, INC., D/B/A WHAS-TV (F/K/A JOURNAL BROADCASTING OF KENTUCKY INC., D/B/A WHAS -TV) [2002-SC-000693-DG](#) [2002-SC-000697-DG](#) [2003-SC-000634-DG](#) JEFFERSON JEFFERSON JEFFERSON
TO BE PUBLISHED
OPINION OF THE COURT BY JUSTICE WINTERSHEIMER – REVERSING.
COOPER, J., DISSENTS IN PART BY SEPARATE OPINION AND IS JOINED BY GRAVES, J. ROACH, J. ALSO DISSENTS IN PART BY SEPARATE OPINION.
173. GRAND AERIE FRATERNAL ORDER OF EAGLES V. MARLENE CARNEYHAN, ETC., ET AL [2003-SC-000169-DG](#) TRIGG
TO BE PUBLISHED
OPINION OF THE COURT BY JUSTICE COOPER – REVERSING.
ROACH, J., CONCURS IN RESULT ONLY WITHOUT SEPARATE OPINION. LAMBERT, C.J., DISSENTS BY SEPARATE OPINION, WITH WINTERSHEIMER, J., JOINING THAT DISSENTING OPINION.
174. 3D ENTERPRISES CONTRACTING CORPORATION V. LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT, [2003-SC-000249-DG](#) JEFFERSON
TO BE PUBLISHED
OPINION OF THE COURT BY JUSTICE JOHNSTONE – REVERSING.
SCOTT, J., CONCURS IN PART AND DISSENTS IN PART BY SEPARATE OPINION, WITH COOPER, J., JOINING.

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

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| 175. | FARMERS BANK AND TRUST
COMPANY OF GEORGETOWN,
KENTUCKY V.
WILLMOTT HARDWOODS, INC.,
ET AL
OPINION OF THE COURT BY
JUSTICE GRAVES – <u>REVERSING.</u>
WINTERSHEIMER, J., CONCURS
IN RESULT ONLY. ROACH, J.,
NOT SITTING. SCOTT, J., DISSENTS
BY A SEPARATE OPINION IN WHICH
COOPER, J., JOINS. | <u>2003-SC-000455-DG</u>
TO BE PUBLISHED | SCOTT |
| 176. | HAROLD DALE COX V.
SHANNON KAY COX
(NOW ESSLINGER)
OPINION OF THE COURT BY
JUSTICE GRAVES – <u>REVERSING.</u>
LAMBERT, C.J., CONCURS IN RESULT
ONLY. | <u>2003-SC-000706-DG</u>
TO BE PUBLISHED | BOYLE |
| 177. | COMMONWEALTH OF KENTUCKY V. JOSCELYN FUARTADO, ET AL
OPINION OF THE COURT BY
JUSTICE GRAVES – <u>REVERSING.</u> | <u>2003-SC-001022-DG</u>
TO BE PUBLISHED | JEFFERSON |
| 178. | COMMONWEALTH OF KENTUCKY V. RICKEY D. LEAP
OPINION OF THE COURT BY
JUSTICE SCOTT – <u>REVERSING.</u> | <u>2004-SC-000138-DG</u>
TO BE PUBLISHED | CAMPBELL |
| 179. | OLFICE, INC., D/B/A CLUB
OLYMPIC V.
SAMUEL W. WILKEY
OPINION OF THE COURT BY
JUSTICE JOHNSTONE – <u>REVERSING.</u> | <u>2004-SC-000514-DG</u>
TO BE PUBLISHED | WARREN |

SUPREME COURT OF KENTUCKY

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| 180. | MICHAEL ANTHONY HOLLOWAY V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000089-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 181. | JERRY DON BATTOE V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000132-MR
NOT TO BE PUBLISHED | MCCRACKEN |
| 182. | TORRENCE SARVER V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000288-MR
NOT TO BE PUBLISHED | WARREN |
| 183. | GARY R. WOOLBRIGHT V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u>
COOPER, J., CONCURS IN RESULT
ONLY. | 2003-SC-000368-MR
NOT TO BE PUBLISHED | BARREN |
| 184. | WILTON LANE WESTERFIELD V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000380-MR
NOT TO BE PUBLISHED | WARREN |
| 185. | CHANTEL ROACH V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000402-MR
NOT TO BE PUBLISHED | BOURBON |
| 186. | TODD LOVETT V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000414-MR
NOT TO BE PUBLISHED | MARSHALL |

SUPREME COURT OF KENTUCKY

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| 187. | THOMAS EUGENE STEWART V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000602-MR
NOT TO BE PUBLISHED | HARDIN |
| 188. | MATTHEW M. JACKSON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000777-MR
NOT TO BE PUBLISHED | WARREN |
| 189. | BARBARA FAYE (BROCK)
JOHNSON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2003-SC-000925-MR
NOT TO BE PUBLISHED | BELL |
| 190. | CARL HOLLAND V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000111-MR
NOT TO BE PUBLISHED | MCCRACKEN |
| 191. | RICKY LYNN LANGSTON V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-0000202-MR
NOT TO BE PUBLISHED | GRAVES |
| 192. | LARRY D. BRUNER V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000312-MR
NOT TO BE PUBLISHED | JEFFERSON |
| 193. | JEFFREY LEE BOYD V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000337-MR
NOT TO BE PUBLISHED | MUHLENBERG |
| 194. | GREGORY WILLIAMS V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000421-MR
NOT TO BE PUBLISHED | JEFFERSON |

SUPREME COURT OF KENTUCKY

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| 195. | WILLIAM JOSHUA HOWARD V.
HON. JAMES L. BOWLING, JR.,
SPECIAL JUDGE, HARLAN
CIRCUIT COURT, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000434-MR
NOT TO BE PUBLISHED | HARLAN |
| 196. | DARIO NAVARRO LOPEZ V.
BARDSTOWN BARRELS, INC
ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000536-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 197. | JOHN ROBERT TILLMAN II V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000605-MR
NOT TO BE PUBLISHED | GRAVES |
| 198. | TNT LOGISTICS V.
OTHO R. MULLINS, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000647-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 199. | LEONARD GOMILLA V.
BAESEL & ASHER ENTERPRISES,
ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u>
GRAVES, J., CONCURS IN RESULT
ONLY. | 2004-SC-000719-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 200. | SAFETY KLEEN V.
ERIC LEE MARAMAN, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000728-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 201. | ALLWOOD MANUFACTURING, INC. V.
RICKEY CLARK, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000784-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

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| 202. | PARKER TRANSFER V.
LANNY RILEY, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000822-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 203. | JANICE BOYER V.
BARNES & NOBLE, ET AL
MEMORANDUM OPINION OF THE
COURT - <u>AFFIRMING.</u> | 2004-SC-000841-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 204. | FREDERICK ROBERTS V.
LODESTAR ENERGY, INC., ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000873-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 205. | DANA CORPORATION V.
BEVERLY DIANE LOVE, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000944-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 206. | EARL HARRIS V.
STEVENS DISPOSAL, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-000992-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 207. | CATHY CRESS V.
HON. THOMAS B. WINE, JUDGE
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2004-SC-001093-MR
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |
| 208. | HON. LEONARD L. KOPOWSKI,
JUDGE, CAMPBELL CIRCUIT
COURT, ET AL V.
STANDARD LIFE INSURANCE
CO. OF INDIANA
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2005-SC-000005-MR
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

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| 209. | SANDRA C. BROOKS, ET AL V.
HON. GARY D. PAYNE, JUDGE
FAYETTE CIRCUIT COURT, ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2005-SC-000063-MR
NOT TO BE PUBLISHED | FAYETTE |
| 210. | RAYMOND COY WRIGHT V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2005-SC-000122-TG
NOT TO BE PUBLISHED | WHITLEY |
| 211. | WILLIAM B. WALKER V.
JUDICIAL CONDUCT COMMISSION,
ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2005-SC-000161-MR
NOT TO BE PUBLISHED | WARREN |
| 212. | MELINDA LANGLEY, ETC., ET AL V.
HON. JOHN R. GRISE, JUDGE
WARREN CIRCUIT COURT, DIVISION II
ET AL
MEMORANDUM OPINION OF THE
COURT – <u>AFFIRMING.</u> | 2005-SC-000308-MR
NOT TO BE PUBLISHED | WARREN |
| 213. | PHILLIP L. BROWN V.
COMMONWEALTH OF KENTUCKY
MEMORANDUM OPINION OF THE
COURT – <u>REVERSING AND
REMANDING.</u>
JOHNSTONE, J., WHO CONCURS
IN RESULT ONLY. | 2003-SC-001023-MR
NOT TO BE PUBLISHED | ADAIR |
| 214. | JUDY SMITH V.
PARKER SEAL CO., ET AL
MEMORANDUM OPINION OF THE
COURT – <u>REVERSING AND
REMANDING.</u>
COOPER, J., DISSENTS BY
SEPARATE OPINION WITH
JOHNSTONE AND ROACH, JJ.,
JOINING THAT DISSENT. | 2004-SC-000257-WC
NOT TO BE PUBLISHED | FROM COURT
OF APPEALS |

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

OPINIONS AND ORDERS

B.J.A., A CHILD UNDER EIGHTEEN V. 2004-SC-000101-DG KENTON
COMMONWEALTH OF KENTUCKY
**COURT ORDER GRANTING MOTION FOR
SUMMARY DISPOSITION. THE DECISION
OF THE COURT OF APPEALS IS REVERSED
AND THIS CASE IS REMANDED TO THE
KENTON DISTRICT COURT.**
ENTERED: JUNE 16, 2005

KENTUCKY BAR ASSOCIATION V. [2004-SC-000758-KB](#) IN SUPREME
LAWRENCE HEMMING **TO BE PUBLISHED** COURT
**OPINION AND ORDER SUSPENDING
RESPONDENT FROM THE PRACTICE OF
LAW IN THE COMMONWEALTH OF
KENTUCKY EFFECTIVE THE DATE OF THIS
ORDER, FOR A PERIOD OF 30 DAYS.**
ENTERED: AUGUST 25, 2005

DOALL LOUISVILLE CO., ET AL V. 2004-SC-000941-D JEFFERSON
FRANK FERRANTE, ET AL
**OPINION AND ORDER GRANTING SUPERSEDEAS
PENALTY ISSUE OF MOTION FOR REVIEW,
VACATING COURT OF APPEALS DECISION AND
REMANDING CASE TO COURT OF APPEALS.**
ENTERED: AUGUST 17, 2005

PAUL WILLIAM LEWIS V. 2004-SC-001047-D OLDHAM
HENRIETTA CREWS, INTERIM WARDEN,
LUTHER LUCKETT CORRECTIONAL
COMPLEX.
**OPINION AND ORDER GRANTING MOTION
FOR DISCRETIONARY REVIEW, THE COURT
OF APPEALS DECISION IS VACATED, AND
THIS CASE IS REMANDED TO THE OLDHAM
CIRCUIT COURT FOR AN EVIDENTIARY
HEARING ON MOVANT'S WRIT OF HABEAS
CORPUS.**
ENTERED: AUGUST 17, 2005

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

OPINIONS AND ORDERS

RALPH BAZE, ET AL V.
ROGER L. CRITTENDEN, JUDGE
FRANKLIN CIRCUIT COURT, ET AL
**OPINION AND ORDER DENYING
PETITION FOR WRITS OF MANDAMUS
AND PROHIBITION.**
ENTERED: AUGUST 25, 2005

2005-SC-000162-OA

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
RODNEY MCDANIEL
**OPINION AND ORDER SUSPENDING
RESPONDENT FROM THE PRACTICE
OF LAW FOR A PERIOD OF 30 DAYS.**
ENTERED: AUGUST 25, 2005

[2005-SC-000172-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

PAUL WILLIAM LEWIS V.
LARRY CHANDLER, WARDEN
KENTUCKY STATE REFORMATORY
**OPINION AND ORDER GRANTING MOTION
TO TRANSFER FROM THE COURT OF
APPEALS AND THIS CASE IS REMANDED
TO THE OLDHAM CIRCUIT COURT FOR
EVIDENTIARY HEARING ON MOVANT'S
WRIT OF HABEAS CORPUS.**
ENTERED: AUGUST 17, 2005

2005-SC-000298-T

OLDHAM

RUBEN RIOS SALINAS V.
HON. GARY D. PAYNE
CHIEF JUDGE, FAYETTE
CIRCUIT COURT, ET AL
**OPINION AND ORDER DENYING
PETITION FOR WRIT OF PROHIBITION.**
ENTERED: AUGUST 16, 2005

[2005-SC-000334-OA](#)
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

OPINIONS AND ORDERS

KENTUCKY BAR ASSOCIATION V.
ROBERT M. BEAL
**OPINION AND ORDER, ORDERING
RESPONDENT BE PUBLICLY
REPRIMANDED FOR VIOLATING
SCR 3.130-8.1(B)**
ENTERED: AUGUST 25, 2005

[2005-SC-000382-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

RICHARD A. JARVIS V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER ORDERING
MOVANT BE RESTORED TO THE
PRACTICE OF LAW.**
ENTERED: AUGUST 25, 2005

2005-SC-000384-KB

IN SUPREME
COURT

GOLDEN FOODS, LLC V.
LOUISVILLE AND JEFFERSON
COUNTY METROPOLITAN SEWER
DISTRICT
**COURT ORDER DENYING INTERMEDIATE
RELIEF PURSUANT TO 76.33.**
ENTERED: JULY 20, 2005

2005-SC-000441-D

JEFFERSON

CHRISTIE L. WRIGHT V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER, ORDERING
THE MOVANT BE PUBLICLY
REPRIMANDED.**
ENTERED: AUGUST 25, 2005

[2005-SC-000476-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
RODNEY MCDANIEL
**OPINION AND ORDER, ORDERING
RESPONDENT SUSPENDED FROM
THE PRACTICE OF LAW FOR A PERIOD
OF 181 DAYS.**
ENTERED: AUGUST 25, 2005

[2005-SC-000494-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

OPINIONS AND ORDERS

DAVID M. ANDREWS V.
KENTUCKY BAR ASSOCIATION
**OPINION AND ORDER, ORDERING
MOVANT SUSPENDED FOR 61 DAYS.**
ENTERED: AUGUST 25, 2005

[2005-SC-000510-KB](#)
TO BE PUBLISHED

IN SUPREME
COURT

KENTUCKY BAR ASSOCIATION V.
SANDRA CAMILLE BROOKS
**OPINION AND ORDER THAT
RESPONDENT IS FOUND TO BE IN
CIVIL CONTEMPT OF THIS COURT.**
ENTERED: AUGUST 25, 2005

2005-SC-000542-KB

IN SUPREME
COURT

**COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005**

KENNETH H. BAKER, ET AL V.
RICHARD SHAPERO, ET AL

2004-SC-000639-DG

JEFFERSON

CITY OF HICKMAN
FULTON COUNTY, KENTUCKY V.
JOHN GARDNER

2004-SC-000688-DG

FULTON

ERNEST ABNEY V.
NATIONWIDE MUTUAL INSURANCE
CO., ET AL

2004-SC-000937-DG

BOURBON

COMMONWEALTH OF KENTUCKY V.
EDWARD GREEN JAMESON

2004-SC-000983-DG

MCCRACKEN

JOHN RAY WILLIAMS V.
COMMONWEALTH OF KENTUCKY

2004-SC-001006-DG

CALLOWAY

GERRY H. MEGHOO V.
COMMONWEALTH OF KENTUCKY

2004-SC-001042-DG

HARDIN

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS GRANTING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

JOHN HARRALSON V. ANGELA L. MONGER, ET AL	2004-SC-001090-DG	JEFFERSON
DAVID VAUGHN V. COMMONWEALTH OF KENTUCKY	2005-SC-000022-DG	KENTON
BOBBI PILE, ETC. V. CITY OF BRANDENBURG, ET AL	2005-SC-000047-DG	MEADE
COMMONWEALTH OF KENTUCKY V. DORMUS DALTON, JR.	2005-SC-000174-DG	PULASKI
COMPEX INTERNATIONAL CO., LTD. V. STEPHEN C. TAYLOR, ET AL	2005-SC-000228-DG	BELL
BANK ONE, KENTUCKY, N.A. V. JOHN M. LONGMEYER, ETC., ET AL	2005-SC-000313-DG	JEFFERSON
PAUL RAYBORN V. EXIE RAYBORN	2005-SC-000357-DG	CLINTON
FIRST FEDERAL SAVINGS BANK V. TOMMY LEE MCCUBBINS	2005-SC-000372-DG	BULLITT
JAMES A. CRUM V. COMMONWEALTH OF KENTUCKY	2005-SC-000395-DG	PIKE

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

SHARON MACY V. JAMES LEE STEVENS, ETC., ET AL	2003-SC-000015-D	HOPKINS
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SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

C.G., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY OPINION OF THE COURT OF APPEALS IS ORDERED NOT TO BE PUBLISHED.	2003-SC-000465-D	KENTON
J.M.C., A CHILD UNDER EIGHTEEN V. DAVID BABB, SUPERINTENDENT, LAUREL REGIONAL JUVENILE DETENTION CENTER	2003-SC-001004-D	MCCREARY
COMMONWEALTH OF KENTUCKY DEPARTMENT OF PUBLIC ADVOCACY V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000500-D	KENTON
COMMONWEALTH OF KENTUCKY V. JESSE MORRISON	2004-SC-000521-D	BOYD
LARRY DENNISON V. JAMES MORGAN	2004-SC-000652-D	BOYLE
GRW KENTUCKY, INC., ET AL V. STEEL TECHNOLOGIES, INC., ET AL	2004-SC-000788-D	FRANKLIN
HON. STANLEY M. BILLINGSLEY V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000829-D	CARROLL
GARLOCK, INC. V. CHARLES CLEPHAS, ET AL	2004-SC-000889-D	JEFFERSON
CHARLES MITCHELL V. COMMONWEALTH OF KENTUCKY	2004-SC-000903-D	KENTON

SUPREME COURT OF KENTUCKY

MINUTES

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ENTERED AUGUST 17, 2005

AMERICAN RED CROSS-LOUISVILLE AREA CHAPTER, ET AL V. COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET	2004-SC-000905-D	FRANKLIN
CHARLES K. ROBINETTE V. BOB VENN, ET AL	2004-SC-000919-D	BOYD
GORDON POTTER, ET AL V. BLUE FLAME ENERGY CORP, ET AL	2004-SC-000942-D	PIKE
EDWARD EARL MARTIN V. COMMONWEALTH OF KENTUCKY	2004-SC-000943-D	JEFFERSON
DAVID E. SHIPLEY V. RICHARD A. WESTIN	2004-SC-000951-D	FAYETTE
VANBAR OUTDOOR ADVERTISING, ET AL V. COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS	2004-SC-000961-D	LAUREL
GARY TILLEY V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-000978-D	CARROLL
KENTUCKY STATE UNIVERSITY V. GERALD ARTHUR THEISEN	2004-SC-001001-D	FRANKLIN
DARBY VAUGHN V. COMMONWEALTH OF KENTUCKY	2004-SC-001007-D	MARION
BOARD OF EDUCATION OF SHELBY COUNTY, ET AL V. DEBBIE MEDLEY	2004-SC-001013-D	SHELBY

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

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ENTERED AUGUST 17, 2005

TOM GINTER V. JIM SMITH	2004-SC-001016-D	ROWAN
EUGENE MCCARTY, JR. V. COMMONWEALTH OF KENTUCKY	2004-SC-001019-D	FLEMING
DAMON KILGORE V. MARTIN COUNTY COAL CORP., ET AL	2004-SC-001022-D	MARTIN
ROBERT J. THOMAS, M.D. V. ROY T. HORN, ET AL	2004-SC-001023-D	GREENUP
JAMES R. WELLS V. EMBY MCKEEHAN	2004-SC-001024-D	WHITLEY
JOHN PRINCE MEADE V. REGENA FAYE BRANHAM MEADE	2004-SC-001025-D	PIKE
RICHARD BOHLINGER, ET AL V. O'HARA RUBERG, TAYLOR, SLOAN & SERGENT, ET AL COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-001041-D	KENTON
KAREN MAY V. JANICE COLEMAN, EXECUTRIX	2004-SC-001043-D	PIKE
PAULA BROWN, ETC., ET AL V. AMERICAN COMMERCE INS., CO., ET AL	2004-SC-001058-D	NELSON
NEWPORT PROFESSIONAL FIREFIGHTERS UNION, I.A.F.F. LOCAL 45 V. CITY OF NEWPORT, KENTUCKY, ET AL	2004-SC-001065-D	CAMPBELL
KENNETH PATTERSON V. COMMONWEALTH OF KENTUCKY	2004-SC-001069-D	HART

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

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ENTERED AUGUST 17, 2005

CLIFFORD WARFIELD V. COMMONWEALTH OF KENTUCKY COURT OF APPEALS OPINION IS ORDERED NOT TO BE PUBLISHED.	2004-SC-001099-D	JEFFERSON
JOHN ROBERT RUSSELL V. CINCINNATI INSURANCE CO.	2004-SC-001113-D	NELSON
JASON MITCHELL CARWILE, ET AL V. OVA GENE HARRISON, ET AL	2004-SC-001119-D	BRECKINRIDGE
W. HOWELL CARR, ET AL V CONTINENTAL GENERAL TIRE, INC.	2004-SC-001129-D	GRAVES
DEBBIE MEDLEY V. LYNN MEERS, ETC., ET AL	2005-SC-000009-D	SHELBY
PATRICK HOWARD V. COMMONWEALTH OF KENTUCKY	2005-SC-000021-D	BELL
BILLY L. BARNETT, JR. V. COMMONWEALTH OF KENTUCKY	2005-SC-000034-D	GRAVES
CHARLES W. BUCKMAN, ET AL V. JAMES C. MCFARLAND	2005-SC-000048-D	OLDHAM
JIM FLYNN, ET AL V. LYNN MEERS, ETC., ET AL	2005-SC-000057-D	SHELBY
JOYCE PHELPS, ET AL V. WEHR CONSTRUCTORS, INC., ET AL	2005-SC-000065-D	JEFFERSON
FRANCES J. ADKINS V. KENTUCKY RETIREMENT SYSTEMS	2005-SC-000074-D	FRANKLIN
RICHARD CARTER V. SHERYL BOLLING	2005-SC-000101-D	LETCHER

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

JAMES JONES, ET AL V. JAMES BELL, ET AL	2005-SC-000104-D	METCALFE
K.C.C., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2005-SC-000107-D	LAUREL
ROMAN CATHOLIC BISHOP OF LOUISVILLE V. KYLE A. BURDEN	2005-SC-000112-D	JEFFERSON
JAMES STERN, M.D., ET AL V. ESTATE OF RICHARD WAYNE JONES, ETC.	2005-SC-000144-D	LAUREL
MICHAEL MAGGARD V. CONAGRA FOODS INC., D/B/A/ COOK FAMILY FOODS	2005-SC-000192-D	CARTER
GENE P. LESLIE, ET AL V. MCCOY ELKHORN COAL CORP., ET AL	2005-SC-000207-D	PIKE
CHARLES BRADLEY KINDOLL V. PATRICIA GONTERMAN	2005-SC-000220-D	OLDHAM
RODNEY SIMMONS V. COMMONWEALTH OF KENTUCKY	2005-SC-000222-D	BRECKINRIDGE
ANGELITA TURNER V. COMMONWEALTH OF KENTUCKY	2005-SC-000224-D	CALLOWAY
LARRY E. WATKINS V. COMMONWEALTH OF KENTUCKY	2005-SC-000252-D	JEFFERSON
SAMUEL L. GRAVES V. COMMONWEALTH OF KENTUCKY	2005-SC-000266-D	MONROE

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

JOHN RAMEY V. COMMONWEALTH OF KENTUCKY	2005-SC-000267-D	JOHNSON
ANTHONY DOYLE LUCKETT V. COMMONWEALTH OF KENTUCKY	2005-SC-000274-D	FAYETTE
C.H. (NOW C.M.) V. R.C.H.	2005-SC-000278-D	CAMPBELL
WALTER HARPER, JR., V. COMMONWEALTH OF KENTUCKY	2005-SC-000282-D	JESSAMINE
JAMES LEE, ET AL V. ERIC GARDNER	2005-SC-000297-D	FAYETTE
ROBERT WHITTEMORE V. COMMONWEALTH OF KENTUCKY	2005-SC-000303-D	GRAVES
VERNON D. CURTIS, ET AL V. KIMBERLEY A. BECKER, ET AL	2005-SC-000305-D	JEFFERSON
JEROD SOWELL V. COMMONWEALTH OF KENTUCKY	2005-SC-000325-D	JEFFERSON
GARY M. AULT V. COMMONWEALTH OF KENTUCKY	2005-SC-000337-D	JEFFERSON
BILL COMBS, ET AL V. ANTHONY HENSEN, ET AL	2005-SC-000346-D	PERRY
HARRY HAMILTON V. MICHAEL WASHINGTON, ET AL	2005-SC-000347-D	HARDIN
BYRON A. BRADFORD, V. COMMONWEALTH OF KENTUCKY	2005-SC-000352-D	JEFFERSON

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005

WINSTON BRISCOE, V. COMMONWEALTH OF KENTUCKY	2005-SC-000359-D	FAYETTE
LISA GAIL TAYLOR V. COMMONWEALTH OF KENTUCKY	2005-SC-000362-D	BARREN
DENALI MARQUISE ANGLIN V. COMMONWEALTH OF KENTUCKY	2005-SC-000364-D	FAYETTE
DIYUN C. BYARS V. COMMONWEALTH OF KENTUCKY	2005-SC-000383-D	JEFFERSON
JAMES VINCENT V. OHIO COUNTY SHERIFF ELVIS DOOLIN, ETC., ET AL	2005-SC-000394-D	OHIO
COMMONWEALTH OF KENTUCKY V. GREGORY KANE GROCE	2005-SC-000397-D	CLINTON
THOMAS MOORE V. COMMONWEALTH OF KENTUCKY	2005-SC-000399-D	RUSSELL
JERRY DALE GUFFEY V. HELEN LIBANAN GUFFEY	2005-SC-000406-D	BARREN
PAUL WILLIAMS LEWIS V. COMMONWEALTH OF KENTUCKY	2005-SC-000421-D	HARLAN
ARTHUR HARBOLT V. ABDULLA ATTUM, M.D.	2005-SC-000428-D	JEFFERSON
N.S., A CHILD UNDER EIGHTEEN V. COMMONWEALTH OF KENTUCKY	2005-SC-000434-D	HENDERSON
JEFFREY RUSSELL V. COMMONWEALTH OF KENTUCKY	2005-SC-000450-D	KENTON

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

**COURT ORDERS DENYING MOTION FOR DISCRETIONARY REVIEW
ENTERED AUGUST 17, 2005**

MICHAEL PEAK V. COMMONWEALTH OF KENTUCKY	2005-SC-000456-D	BUTLER
WAYNE GRAHAM V. COMMONWEALTH OF KENTUCKY	2005-SC-000461-D	HENDERSON
GLENN DAVIS V. CABINET FOR FAMILIES AND CHILDREN, ET AL	2005-SC-000465-D	FRANKLIN
KEITH STALLWORTH V. COMMONWEALTH OF KENTUCKY	2005-SC-000492-D	BOYLE

**COURT ORDERS DENYING BELATED MOTION FOR ENLARGEMENT OF TIME
TO FILE A MOTION FOR DISCRETIONARY REVIEW**

HARGUS WAYNE GABBARD V. COMMONWEALTH OF KENTUCKY ENTERED: AUGUST 5, 2005	2005-SC-000281-D	LINCOLN
ROLAND GAZAWAY V. COMMONWEALTH OF KENTUCKY ENTERED: JULY 8, 2005	2005-SC-000333-D	JEFFERSON
CRAIG DUNN V. DEPARTMENT OF CORRECTIONS ENTERED: JULY 5, 2005	2005-SC-000381-D	FRANKLIN
JOHN DANIELS, A/K/A DAVID WILLIAMS V. TOM DAILEY, OFFENDER RECORDS BRANCH OFFICE ENTERED: JUNE 27, 2005	2005-SC-000409-D	OLDHAM

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDER GRANTING MOTION TO TRANSFER

GRANT R. MARKSBERRY V. COMMONWEALTH OF KENTUCKY ENTERED: JUNE 21, 2005	2005-SC-000360-TG	JEFFERSON
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COURT ORDERS DENYING MOTION TO TRANSFER ENTERED AUGUST 25, 2005

COMMONWEALTH OF KENTUCKY DEPARTMENT OF AGRICULTURE V. DONALD R. VINSON, ET AL	2004-SC-000804-T	FRANKLIN
E. A. SCHMEING V. LOUISVILLE GAS & ELECTRIC CO. AND THE PADDOCK AT EAST POINT, LLC V. LOUISVILLE GAS AND ELECTRIC CO. AND MRH DEVELOPMENT CO. V. LOUISVILLE GAS AND ELECTRIC CO. AND LOUIS K. KLEMENZ, ET AL V. LOUISVILLE GAS AND ELECTRIC CO.	2005-SC-000367-T 2005-SC-000368-T 2005-SC-000369-T 2005-SC-000370-T	JEFFERSON JEFFERSON JEFFERSON JEFFERSON

COURT ORDERS DENYING PETITION FOR REHEARING ENTERED AUGUST 25, 2005

WALTER GARY MATTHEWS, JR. V. COMMONWEALTH OF KENTUCKY	2003-SC-000364-MR	MCCRACKEN
DONNA HARGIS, ETC., ET AL V. ALLEN R. BAIZE, D/B/A/GREENVILLE LOG AND LUMBER, ET AL ORDER DENYING DEPUBLICATION OF OPINION AND DISMISSAL.	2002-SC-000969-DG	MUHLENBERG

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS DENYING PETITION FOR REHEARING ENTERED AUGUST 25, 2005

SAMUEL ARTHUR YENAWINE V. COMMONWEALTH OF KENTUCKY MODIFYING OPINION RENDERED MARCH 17, 2005 BY SUBSTITUTION OF ATTACHED OPINION.	2003-SC-000283-MR	JEFFERSON
STACY LYNN PARTIN V. COMMONWEALTH OF KENTUCKY	2003-SC-000596-MR	MCCRACKEN
RONNIE LEE BOWLING V. COMMONWEALTH OF KENTUCKY AND DENYING MOTION TO RECONSIDER RULINGS.	2003-SC-000645-MR	LAUREL
UNITED STATES STEEL CORP. V. RANDALL WEBB, ET AL	2004-SC-000388-WC	FROM COURT OF APPEALS
HUNTER EXCAVATING V. GORDON BARTRUM, ET AL	2004-SC-000485-WC	FROM COURT OF APPEALS

COURT ORDERS

DEMOND T. BROWN V. COMMONWEALTH OF KENTUCKY AND	2003-SC-000235-MR	CHRISTIAN
DEMOND BROWN V. COMMONWEALTH OF KENTUCKY COURT ORDER MODIFYING OPINION RENDERED JUNE 16, 2005 TO CORRECT CITATION ON PAGES 3 AND 13 AND CORRECTION OF CASE NAME ON PAGE 14. ENTERED: JULY 7, 2004	2003-SC-000716-TG	CHRISTIAN

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS

VIRGIL GRIFFITH, ET AL V. 2003-SC-000554-DG SCOTT
MIKE FLINN, ET AL
**COURT ORDER GRANTING PARTIES
JOINT MOTION TO DISMISS.**
ENTERED: AUGUST 18, 2005

RICKIE AKERS V. [2004-SC-000631-WC](#) FROM COURT
PIKE COUNTY BOARD OF EDUCATION, OF APPEALS
ET AL
**COURT ORDER GRANTING MOTION TO
PUBLISH OPINION RENDERED
JUNE 16, 2005.**
ENTERED: JUNE 25, 2005

AK STEEL CORPORATION V. 2004-SC-000964-WC FROM COURT
JOHN H. NEAL, ET AL OF APPEALS
**COURT ORDER DISMISSING
APPEAL AS SETTLED.**
ENTERED JUNE 16, 2005

APRIL MELISSA TAYLOR V. 2005-SC-000089-D WAYNE
COMMONWEALTH OF KENTUCKY
**COURT ORDER GRANTING JOINT
MOTION TO DISMISS MOTION FOR
DISCRETIONARY REVIEW.**
ENTERED: AUGUST 18, 2005

IN RE: RALPH STEPHENS BAZE, JR. 2005-SC-000129-OA IN SUPREME
**COURT ORDER DENYING MOVANT'S COURT
MOTION FOR LEAVE TO FILE A
PETITION FOR ORIGINAL WRIT.**
ENTERED: AUGUST 22, 2005

PIXIE CALDWELL V. 2005-SC-000165-MR FROM COURT
MARY BRECKINRIDGE, OF APPEALS
**COURT ORDER DELIVERED DISMISSING
APPEAL.**
ENTERED: JUNE 23, 2005

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS

JAMES A. SCHAFER V. 2005-SC-000199-D BOYD
FORD MOTOR CREDIT COMPANY
**COURT ORDER DISMISSING MOTION
FOR DISCRETIONARY REVIEW.**
ENTERED: AUGUST 18, 2005

BELVE CALLAHAN V. 2005-SC-000276-WC FROM COURT
HUBB COAL COMPANY, ET AL OF APPEALS
**COURT ORDER DELIVERED DISMISSING
APPEAL.**
ENTERED: JULY 21, 2005

TOMMY SOUTHARD V. 2005-SC-000365-D HARDIN
HON. JANET P. COLEMAN, JUDGE
ET AL
**COURT ORDER DELIVERED DENYING
MOTION TO RECONSIDER ORDER
DENYING MOTION TO PROCEED IN
FORMA PAUPERIS.**
ENTERED: JUNE 20, 2005

TOMMY SOUTHARD V. 2005-SC-000366-D HARDIN
BREANNA RENFRO
**COURT ORDER DELIVERED DENYING
MOTION TO RECONSIDER ORDER
DENYING MOTION TO PROCEED IN
FORMA PAUPERIS.**
ENTERED: JUNE 20, 2005

JOE R. TURNER V. 2005-SC-000393-MR ALLEN
WILLIAM R. HARRIS, JUDGE
ALLEN CIRCUIT COURT
**COURT ORDER DELIVERED
DISMISSING APPEAL.**
ENTERED: JULY 7, 2005

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

COURT ORDERS

COMMONWEALTH OF KENTUCKY V. BARBARA ELIZABETH FERRY COURT ORDER DENYING MOTION FOR CERTIFICATION OF LAW. ENTERED: AUGUST 25, 2005	2005-SC-000458-CL	JEFFERSON
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**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF
THE KENTUCKY BAR ASSOCIATION**

ROBERT PETER RINK V. KENTUCKY BAR ASSOCIATION ENTERED: JUNE 30, 2005	2005-SC-000522-KB	IN SUPREME COURT
MARK EDWARD LINDENFELD V. KENTUCKY BAR ASSOCIATION ENTERED: JUNE 30, 2005	2005-SC-000523-KB	IN SUPREME COURT
B. DAVID FISH V. KENTUCKY BAR ASSOCIATION ENTERED: JULY 11, 2005	2005-SC-000530-KB	IN SUPREME COURT
THOMAS G. GRACE V. KENTUCKY BAR ASSOCIATION ENTERED: AUGUST 4, 2005	2005-SC-000593-KB	IN SUPREME COURT
STERLING HOWARD PAYNE V. KENTUCKY BAR ASSOCIATION ENTERED: AUGUST 11, 2005	2005-SC-000633-KB	IN SUPREME COURT
HEATHER THEOBALD THURSTON KENTUCKY BAR ASSOCIATION ENTERED: AUGUST 11, 2005	2005-SC-000634-KB	IN SUPREME COURT
JOHN MICHAEL POPSON V. KENTUCKY BAR ASSOCIATION ENTERED: AUGUST 11, 2005	2005-SC-000635-KB	IN SUPREME COURT

SUPREME COURT OF KENTUCKY

MINUTES

AUGUST 25, 2005

RELEASED: 10:00 A.M

**COURT ORDERS PERMITTING MOVANT TO WITHDRAW AS A MEMBER OF
THE KENTUCKY BAR ASSOCIATION.**

JAY FORMAN LAPIN V.
KENTUCKY BAR ASSOCIATION
ENTERED: AUGUST 11, 2005

2005-SC-000636-KB

IN SUPREME
COURT